

104TH CONGRESS  
2D SESSION

# S. 2041

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 with respect to the dumping of dredged material in Long Island Sound, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 2, 1996

Mr. D'AMATO (for himself, Mr. MOYNIHAN, and Mr. FAIRCLOTH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 with respect to the dumping of dredged material in Long Island Sound, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Long Island Sound  
5       Preservation and Protection Act of 1996”.

1 **SEC. 2. DUMPING OF DREDGED MATERIALS IN LONG**  
2 **ISLAND SOUND.**

3 Section 106(f) of the Marine Protection, Research,  
4 and Sanctuaries Act of 1972 (33 U.S.C. 1416(f)) is  
5 amended to read as follows:

6 “(f) DUMPING OF DREDGED MATERIAL IN LONG IS-  
7 LAND SOUND.—

8 “(1) IN GENERAL.—No dredged material from  
9 any Federal or non-Federal project that contains  
10 any of the constituents prohibited as other than  
11 trace contaminants (as defined by the Federal ocean  
12 dumping criteria stated in section 227.6 of title 40,  
13 Code of Federal Regulations) may be dumped in  
14 Long Island Sound or Block Island Sound except in  
15 a case in which it is demonstrated to the Adminis-  
16 trator, and the Administrator certifies by publication  
17 in the Federal Register, that the dumping of the  
18 dredged material containing the constituents will not  
19 cause significant undesirable effects, including the  
20 threat associated with bioaccumulation of such con-  
21 stituents in marine organisms.

22 “(2) FEDERAL PROJECTS EXCEEDING 25,000  
23 YARDS.—In addition to other provisions of law and  
24 notwithstanding the specific exclusion relating to  
25 dredged material of the first sentence in section  
26 102(a), any dumping of dredged material in Long

1       Island Sound from a Federal project (or pursuant to  
2       Federal authorization) by a non-Federal applicant in  
3       a quantity exceeding 25,000 cubic yards shall com-  
4       ply with the criteria established under the second  
5       sentence of section 102(a) relating to the effects of  
6       dumping.

7               “(3) RELATION TO OTHER LAW.—Subsection  
8       (d) shall not apply to this subsection.”.

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